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RECEIVED 1639

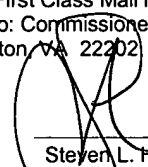
AUG 20 2003

TECH CENTER 1600/2900

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August 15, 2003

CERTIFICATE OF MAILING 37 C.F.R 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 2327, Arlington, VA 22202 on the date below:	
August 15, 2003	
Date	Steven L. Highlander

Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

RE: *U.S. Patent Application No. 09/780,575 entitled "SELECTION OF PEPTIDES WITH ANTIBODY-LIKE PROPERTIES" – Thomas J. Kodadek*
Our reference: UTSD:566US

Sir:

Please find enclosed:

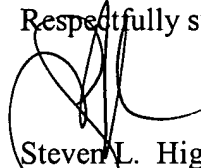
- (1) A Response to Office Communication mailed July 18, 2003;
- (2) Preliminary Amendment;
- (3) Copy of Office Communication; and
- (4) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

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Commissioner for Patents
August 15, 2003
Page 2

It is believed that no fee is due with this communication, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed document, the Commissioner is authorized to deduct or credit said fees from or to Fulbright & Jaworski Deposit Account No. 50-1212/UTSD:566US.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'SLH', is written over the printed name 'Steven L. Highlander'.

Steven L. Highlander
Reg. No. 37,642

SLH/mar
Encl: as noted

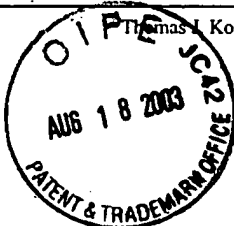


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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,575	02/09/2001	Thomas J. Kodadek	UTSD:566US/SLH	1617

7590 07/18/2003
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Suite 2400
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Austin, TX 78701



EXAMINER

CELSA, BENNETT M

ART UNIT PAPER NUMBER

1639

DATE MAILED: 07/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
Date(s) Docketed: <u>8/18/03</u>
<u>Response due to</u>
<u>Notice of Non-compliance</u>
<u>Answered memo: 1/18/2004 Final</u>
<u>deadline</u>
JUL 22 2003
Client: <u>UTSD:566US</u>
Attorney(s): <u>DLP/SLH</u>
Initials: <u>332</u>

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UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, DC 20231
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Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 5-1-03 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000). In order for the amendment to be compliant, applicant must supply the following omissions or corrections in response to this notice.

THE FOLLOWING ITEMS ARE REQUIRED FOR COMPLIANCE WITH RULE 1.121 (APPLICANT NEED NOT RE-SUBMIT THE ENTIRE AMENDMENT):

- ☒ 1. A clean version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(ii).
- ☐ 2. A marked-up version of the replacement paragraph(s)/section(s) is required. See 37 CFR 1.121(b)(1)(iii).
- ☒ 3. A clean version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(i).
- ☐ 4. A marked-up version of the amended claim(s) is required. See 37 CFR 1.121(c)(1)(ii).

Explanation: NO CLEAN VERSION OF SPEC

(LIE: Please provide specific details for correction to assist the applicant. For example, "the clean version of claim 6 is missing.")

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/dcom/olia/pbg/sampleaf.pdf>. A condensed version of a sample amendment format is attached.

- ☐ **PRELIMINARY AMENDMENT:** Unless applicant supplies the omission or correction to the preliminary amendment in compliance with revised 37 CFR 1.121 noted above within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above-mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE MONTH or THIRTY DAYS from the mailing of this notice, whichever is longer, within which to supply the omission or correction noted above in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Cona Supps
Legal Instruments Examiner (LIE)